

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN
DISTRICT OF TENNESSEE, EASTERN DIVISION

JEFFERY GAYLON DOUGLAS)

Plaintiff,)

vs.)

No.: 1:12-cv-01276

STATE OF TENNESSEE, JUDGE)
DONALD H. ALLEN, JANE DOE,)
JURIES 1-13, JOHN DOE, JURIES)
1-13, SHAUN A BROWN, GREGORY)
GOOKIN, DANIELLE JONES,)
DR. LISA PIERCEY, JENNIFER)
PLUNK, F.S., minor child, RALPH)
TURNER, and JAMES G. WOODALL,)

Defendants.)

NOTICE OF REMOVAL

Defendant Danielle Jones¹ removes this case from the Circuit Court of Madison County, Tennessee, to the United States District Court for the Western District of Tennessee, Eastern Division.² In support of this Notice of Removal, Jones states as follows:

1. On November 2, 2012, pro se Plaintiff Jeffrey Gaylon Douglas filed this action against Jones in the Circuit Court of Madison County, Tennessee, Case No. C-12-278.³

¹ Jones notes that Douglas incorrectly identified her as Daniel Jones in the Complaint. Jones correct name is Danielle Jones.

² 28 U.S.C. §§ 1441 and 1446

³ Complaint (styled as "Civil Action") (attached as **Exhibit A**). Douglas filed an Amendment to the Complaint with the Circuit Court on November 14, 2012. But Jones has not been served with a copy of the Amendment. A copy of the Amendment is attached as **Exhibit B**.

2. Douglas served the summons and complaint on Jones, Judge Don Allen, Dr. Lisa Piercey, Assistant Public Defender Greg Gookin, and Assistant District Attorney General Shaun Brown on November 5, 2012.⁴ He served and District Attorney General Jerry Woodall on November 7, 2012.⁵ He has not served the other defendants.⁶

3. Douglas also served Jones with a copy of a motion for a temporary injunction.⁷ Douglas has not served Jones with any other process, pleadings, or orders.

4. Douglas has filed other pleadings with the Circuit Court, including a motion for trial by jury, a motion for consolidation of civil actions, and petition for writ of habeas corpus ad testificandum.⁸

5. Douglas alleges that this is a “civil rights claim action” [sic]⁹ and he bases his claims on “the laws of the United States” and “the Federal Constitution”.¹⁰

6. Because this Court has original jurisdiction over claims arising under the laws of the United States,¹¹ the Court has jurisdiction in this case.

7. Douglas also brings various state-law claims that arise out of the same transaction or occurrence as his federal claim.¹²

⁴ Summonses (attached as **Exhibit C**).

⁵ Id.

⁶ Counsel for Jones checked with Madison County Circuit Court Clerk and no summonses had been issued for Defendants State of Tennessee, Jane Doe, Juries 1-13, John Doe, Juries 1-13, Jennifer Plunk, F.S., or Ralph Turner. Affidavit of M. Courtner, at ¶ (attached as **Exhibit D**). Therefore, there was no known address with which to serve these Defendants.

⁷ Motion for a Temporary Injunction (attached as **Exhibit E**).

⁸ The other pleadings filed in Circuit Court of Madison County, Tennessee are attached as **Exhibit F**.

⁹ Complaint, at p. 2 and ¶ 14.

¹⁰ Complaint, at ¶¶ 20 and 21.

¹¹ 28 U.S.C. § 1331

¹² Complaint, at ¶¶ 1, 2, 5, 8, 10, 11, 16, and 19.

8. Because the state-law claims are so related to the federal claims that they form part of the same case or controversy, these claims are within the supplemental jurisdiction of this Court.¹³

9. Because Jones filed the Notice of Removal within 30 days after service, the removal is timely.¹⁴

10. The parties who have been properly joined and served consent to removal of this action.

11. Because this Court's jurisdiction includes the county in which Douglas filed the state-court action, venue is proper.¹⁵

12. Jones will serve written notice of the removal on Douglas and all other Defendants and a copy will be filed with the Clerk of the Circuit Court of Madison County, Tennessee at Jackson promptly after this Notice of Removal is filed.

Respectfully submitted,

RAINEY, KIZER, REVIERE & BELL, P.L.C.

BY: s/ Dale Conder, Jr.
DALE CONDER, JR., BPR #015419
JOHN D. BURLESON, BPR #010400
MATTHEW R. COURTNER, BPR #029113
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¹³ 28 U.S.C. § 1367.

¹⁴ 28 U.S.C. § 1446(b)

¹⁵ 28 U.S.C. § 1441(a).

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of this pleading or document was served by mailing postage prepaid or by delivery to the person or office of such counsel upon the following served parties:

Attorney General's Office
Heather Ross
Attorney for Defendants Judge Donald H.
Allen, Shaun Brown, Gregory Gookin,
and James Woodall
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Timothy G. Wehner
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This the 30th day of November 2012.

s/ Dale Conder, Jr.